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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dated: May 22, 2006

BARBARA A. BLAIR
and TIMOTHY L. CARTER

HP Docket No. 10010714-1

Serial No. : 09/931,825

Group Art Unit 3629

Filed : August 16, 2001

Examiner C. Thai

For : PRODUCT DEVELOPMENT PROCESS

Attention Director Technology Center 3600
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**REQUEST TO WITHDRAW
HOLDING OF ABANDONMENT**

Applicants hereby request withdrawal of the holding of abandonment of the present application.

Applicants received a Notice of Abandonment dated March 22, 2006. Applicants understand that such abandonment was premised on the contention that the U.S. Patent and Trademark Office did not receive applicants response filed on December 13, 2005. A Copy of the Notice of Abandonment is enclosed as Exhibit 1.

In the Notice of Abandonment, the Examiner indicates that applicants failed to timely file a reply to the Office action mailed on September 13, 2005. In fact, applicants did file a timely reply. A copy of applicants' December 13, 2005 Amendment is attached hereto as Exhibit 2. The Certificate of Mailing on page 13 of that Amendment certifies that the Amendment was deposited with the United States Postal Service as first class

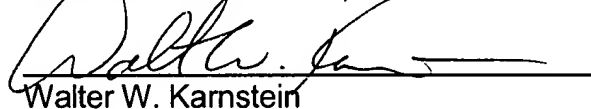
mail on December 13, 2005. A newly-executed Declaration Under §1.131 is attached hereto as Exhibit 3.

The Examiner also indicates that "Attorney Chris Gunthrie called on March 17, 2006 and confirmed the status of the application." Applicants note, however, that neither applicants, nor their assignee Hewlett-Packard Company, have an attorney by that name. Furthermore, while Hewlett-Packard Company does employ a non-attorney legal administrator named "Chris Guthrie", she has not been involved in prosecution of the present application.

The attached documents establish that the response was indeed properly filed, and that the holding of abandonment was improper and must be withdrawn.

Respectfully submitted,

KOLISCH HARTWELL, P.C.



Walter W. Karnstein

Registration No. 35,565

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

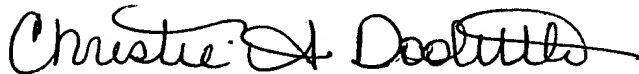
Telephone: (503) 224-6655

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Attorney for Applicants

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attention Director Technology Center 3600, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 22, 2006.



Christie A. Doolittle



RECEIVED

UNITED STATES PATENT AND TRADEMARK OFFICE **MAR 27 2006**

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
HP LEGAL
IPA
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|----------------------------|----------------------|---------------------|------------------|
| 09/931,825 ✓ 7590 | 08/16/2001 ✓ 03/22/2006 | Barbara A. Blair | 10010714 - 1 ✓ | 3281 ✓ |
| HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400 | | | EXAMINER | |
| | | | THAI, CANG G | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3629 | |

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

09/931,825 ✓

Examiner

Cang G. Thai

Applicant(s)

BLAIR ET AL.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 13 September 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Attorney Chris Gunthrie called on 03/17/2006 and confirmed the status of the application. Applicant did not file the response within 6 months period.

CGT

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Barbara A. Blair et al.

Application No.: 09/931,825

Filing Date: Aug. 16, 2001

Title: PRODUCT DEVELOPMENT PROCESS

Confirmation No.:

Examiner: C. Thai

Group Art Unit: 3629



Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY | | | | | | |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1) FOR | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) NUMBER EXTRA | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEES |
| TOTAL CLAIMS | 6 | MINUS | 20 | = 0 | X \$50 | \$ 0 |
| INDEP. CLAIMS | 3 | MINUS | 3 | = 0 | X \$200 | \$ 0 |
| [] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM | | | | | + \$360 | \$ 0 |
| EXTENSION FEE | 1ST MONTH \$120.00 | 2ND MONTH \$450.00 | 3RD MONTH \$1020.00 | 4TH MONTH \$1590.00 | | \$ 0 |
| OTHER FEES | | | | | | \$ |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$ 0 |

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: Dec. 13, 2005

Typed Name: Heidi Dutro

Signature: Heidi Dutro

Respectfully submitted,

Barbara A. Blair et al.

By Walter W. Karnstein
Walter W. Karnstein

Attorney/Agent for Applicant(s)

Reg. No. 35,565

Date: Dec. 13, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BARBARA A. BLAIR
and TIMOTHY L. CARTER



Dated: December 13, 2005

HP Docket No. 10010714-1

Serial No. : 09/931,825

Examiner C. Thai

Filed : August 16, 2001

Group Art Unit 3629

For : PRODUCT DEVELOPMENT PROCESS

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

AMENDMENT

Responsive to the Office action dated September 13, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the claim listing that begins on page 4 of this paper.

Remarks begin on page 7 of this paper.

Amendments to the Specification:

Please make the following amendments to the specification (material to be inserted in replacement paragraphs or sections is in **bold and underline**, and material to be deleted is in ~~strikeout~~ or (if the deletion is of five or fewer consecutive characters or would be difficult to see) in double brackets [[]]).

Please replace the paragraph beginning at page 1, line 20, with the following rewritten paragraph:

This linear path may result in significant lag time between conceptualization and commercialization. During this lag time, competitors are given a chance to develop and market competing technologies. In addition, as the product development progresses from conceptualization to commercialization, the product concept often can become fragmented as new market opportunities are identified. This fragmentation often results in increased ~~complexing~~ **complexity** and bureaucracy in order to develop and manage a number of product concepts and technologies in parallel. If this fragmentation is allowed to occur too early in the development, decision making becomes difficult, focus on completing the core technologies becomes diluted and the bureaucracy of the system may result in a significant number of concepts and technologies explored by the engineers and scientists never being developed into marketed products.

Please replace the paragraph beginning at page 5, line 3, with the following rewritten paragraph:

As a non-limiting example, a particular business may be engaged in developing memory storage devices for electronics. The research group may initially be tasked with finding ways to reduce the size of the memory storage devices. According to the present invention, the research, product development, and commercialization groups jointly select a suitable entry vehicle architecture to provide focus for the product development effort. Memory storage devices are used in a wide range of applications including, but not limited to rockets, cars, computers, household appliances, and small consumer electronics. Furthermore, memory storage devices may take a large number of forms ranging in size, material, capacity, etc. Thus, the most effective entry vehicle would be one that is narrow enough in scope to limit the materials, configurations, and performance objective of the memory storage device to enable the research and product development groups to conduct research and do product development in a focused manner. However, the entry vehicle should also be broad enough in application to extend to other applications once the appropriate memory storage device has been developed. Thus, an appropriate entry vehicle might be to develop a memory storage device that is appropriate for use with a credit card, ATM card or other transactional card. By selecting a "memory card" as the entry vehicle architecture, the scope of scientific research has been limited to a specific size range and materials that are compatible with transactional cards. However, memory storage devices of this size and incorporating these materials will be useful for other future applications.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Please amend claim 1 as indicated below (material to be inserted is in **bold and underline**, material to be deleted is in ~~strikeout~~ or (if the deletion is of five or fewer consecutive characters or would be difficult to see) in double brackets [[]]):

Listing of Claims:

1. (Currently Amended) A method for developing marketable products to fit the needs of multiple markets and presenting marketable products to a new or existing customer base ~~incorporating novel technological concepts~~ comprising:
 - identifying a specific technological concept to develop into a product;
 - selecting an initial application for the specific technological concept by identifying an entry vehicle application;
 - proving the technological concept for the entry vehicle application;
 - identifying additional applications for the proven technological concept; and
 - developing products based on the entry vehicle and additional applications.
2. (Original) The method of claim 1 wherein the entry vehicle application is narrow enough in scope to reduce development time by concentrating focus on a narrow solution set, but broad and flexible enough to be applicable to additional applications.

3. (Original) A system for enabling a business to develop products comprising:

a research group adapted to conduct research to develop technologies and improve developed technologies;

a product development group adapted to develop a product based on the use of, or integration of new or improved technologies;

a technological goal to be achieved by the research group;

an entry vehicle product architecture goal to be achieved by the product development group; and

a commercialization group adapted to tailor and customize the entry vehicle, market the entry vehicle product and its derivatives;

a joint decision process involving the research, product development and commercialization groups adapted to narrow the scope of research engaged in by the research group and product development group to achieve the technological goal and entry vehicle product development goal, the decision process including identifying an entry vehicle application for the technological goal.

4. (Original) The system of claim 3 wherein the entry vehicle application is narrow enough in scope to reduce development time but broad enough to enable additional applications.

5. (Original) In a business having a research group charged with conducting research to develop technologies, a product development group charged with developing entry vehicle products from those technologies, and a commercialization group charged with tailoring and customizing the entry vehicle and marketing the entry vehicle product and its derivatives, a method for streamlining a product development process comprising tasking the research group to develop technology for use in an entry vehicle application, the entry vehicle application being selected by the product development group together with the research group and commercialization group.

6. (Original) The method of claim 5 wherein the entry vehicle application is narrow enough in scope to reduce development time but broad enough to enable additional applications.

Remarks:

The above amendments and these remarks are responsive to the Office action dated September 13, 2005.

Claims 1-6 are pending in the application. In the Office action, claims 1-6 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-6 also are rejected under 35 U.S.C. § 112, second paragraph, as being "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention." Finally, claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by McDonald et al. (US 6,892,376). Applicants respectively traverse the rejections.

In view of the amendments above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Amendments to the Specification

As an initial matter, applicants presently submit the above indicated amendments to the specification in order to correct minor typographical errors, and respectively request entry of the amendments.

Rejections under 35 U.S.C. § 101**Claims 1 and 2**

As noted, claims 1 and 2 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Examiner notes that "[f]or a claimed invention to be statutory, the claimed invention must be within the technological arts. " Applicants respectively traverse this rejection, noting the recent decision in Ex Parte Lundgren, wherein the Board of Patent Appeals and

Interferences held (in a precedential opinion) that "there is currently no judicially recognized separate 'technological arts' test to determine patent eligible subject matter under § 101." Ex Parte Lundgren, Bd. Pat. App. & Int., No 2003-2088 at 9. The indicated basis for rejection of claims 1 and 2 thus has been obviated by the Board of Patent Appeals and Interferences, and the rejection of claims 1 and 2 must be withdrawn.

The Examiner's also asserts that a statutory invention must produce a useful, concrete, and tangible result. Without conceding that this characterization of statutory subject matter is accurate, applicants note that the Examiner has NOT asserted that the claimed invention is lacking in this regard. Furthermore, applicants take this opportunity to affirm that the claimed invention does produce a useful, concrete and tangible result. As noted in applicants' specification, the claimed invention is effective in "streamlining the timeline between conceptualization of a technology and presentation of the technology in the form of a marketable product" (Specification page 2, lines 23-25).

Claims 3-6

Claims 3-6 also stand rejected under 35 U.S.C. § 101, the Examiner having indicated that such claims are "claiming human." In support of this assertion, the Examiner cites MPEP §2105, which relates to claiming of living subject matter. Applicants respectively traverse the rejection, noting that none of applicants' claims recite living subject matter.

Claim 3 recites a "system for enabling a business to develop products," wherein the system includes a "research group," a "product development group," a "technological goal," an "entry vehicle," a "commercialization group" and a "joint

decision process.” The Examiner improperly equates the research group, product development group and commercialization group as “human”. While, as indicated in the specification, the groups may be staffed with scientists, engineers and/or business and marketing professionals, the groups themselves are not “human.” Claim 3 thus does not claim a human being or living subject matter.

Furthermore, even if the recited research group, product development group and commercialization group are construed as “human”, the mere inclusion of such groups does not render the subject matter non-statutory. As discussed in MPEP §2105, Congress has recognized that “the relevant distinction was not between living and inanimate things, but between products of nature, whether living or not, and human-made inventions.” See, MPEP §2105, citing *Diamond v. Chakrabarty*, 447 U.S. 303, 206 USPQ 193 (1980). Clearly, research groups, product development groups and commercialization groups are not products of nature, but rather of human design.

Moreover, even if it were determined that recited research group, product development group and commercialization group occur in nature, this is insufficient to render the claimed subject matter non-statutory. Recitation of naturally-occurring materials in a claim is permitted. Correspondingly, recitation of a human being in a claim is permitted. MPEP §2105 indicates only that a claimed invention is non-statutory if “the claimed invention as a whole encompasses a human being” (emphasis added). Claim 3 does not claim a human being, but rather, claims a system including a “research group,” a “product development group,” a “technological goal,” an “entry vehicle,” a “commercialization group” and a “joint decision process.”

For at least the foregoing reasons, the rejection of claim 3 under 35 U.S.C. § 101 should be withdrawn. Claim 4 depends from claim 3 and is statutory subject matter for at least the same reasons as set forth above with respect to claim 3.

Regarding claim 5, applicants note that such claim recites a "method for streamlining a product development process," not a human being. Although the Examiner's reasoning is unclear, applicants assume that the Examiner contends that claim 5 is non-statutory because the recited process involves actions by a research group, a product development group and a commercialization group (which the Examiner indicates are "defined as human").

Applicants note, however, that a process that may be performed by a human is not fatal to patentability. As made clear in *Smith & Nephew v. Ethicon*, even a method claim where all steps are carried out by a human are patentable. *Smith & Nephew v. Ethicon*, 276 F.3d 1304, 61 USPQ2d 1065 (Fed. Cir. 2001).

For at least the foregoing reasons, the rejection of claim 5 under 35 U.S.C. § 101 should be withdrawn. Claim 6 depends from claim 5 and is statutory subject matter for at least the same reasons as set forth above with respect to claim 5.

Rejections under 35 U.S.C. § 112, 2d paragraph

Claims 1-6 stand rejected under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention."

In particular, the Examiner asserts that "[i]n claim 1, it is not clear what the scope is of the claimed invention" and "[i]t is not clear on the novel technological concepts in the body of the claim...." Applicants respectively traverse the rejection. Nevertheless, in the interest of furthering prosecution of the present application on

the merits, applicants presently amend the preamble of claim 1 to omit "incorporating novel technological concepts." Claim 1 thus now recites a method for "developing marketable products to fit the needs of multiple markets and presenting marketable products to a new or existing customer base."

The Examiner further asserts that "[i]t is also not clear on steps (a) – (e)", indicating that "[i]t appears that they should be related, but no positive language showing the relationship has been shown." As amended, claim 1 recites:

1. A method for developing marketable products to fit the needs of multiple markets and presenting marketable products to a new or existing customer base comprising:
 - identifying a specific technological concept to develop into a product;
 - selecting an initial application for the specific technological concept by identifying an entry vehicle application;
 - proving the technological concept for the entry vehicle application;
 - identifying additional applications for the proven technological concept; and
 - developing products based on the entry vehicle and additional applications.

Using the Examiner's convention of steps (a) – (e), Step (a) introduces "a specific technological concept." Step (b) positively relates to step (a) by introducing "an initial application for the specific technological concept by identifying an entry vehicle application." Step (c) positively relates to both steps (a) and (b) by "proving the technological concept for the entry vehicle application." Step (d) positively relates to step (c) by "identifying additional applications for the proven technological concept." Finally, step (e) positively relates to both steps (b) and (d) by developing products based on the entry vehicle and additional applications." (emphases added).

Therefore, claim 1 as amended is not indefinite, and the rejection of claim 1 under 35 U.S.C. § 112 should be withdrawn. Inasmuch as the Examiner did not specify any reasoning for indicating that claims 2-6 were indefinite, applicants are unable to address the Examiner's rejection with respect to claims 2-6. Accordingly, applicants respectively request withdrawal of the rejection under 35 U.S.C. § 112 of claims 2-6.

Rejections under 35 U.S.C. § 102(e)

Finally, as noted, claims 1-6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,892,376 to McDonald, et al. Applicants respectively traverse the rejection.

As an initial matter, to address the Office action statement that "[t]he applied reference has a common assignee with the instant application," applicants note that the McDonald et al. reference is assigned to International Business Machines Corporation as indicated in the USPTO assignment records at Reel 044646, Frame 0088. The inventors of the present application are under an obligation to assign to Hewlett Packard Company.

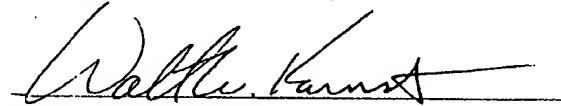
Furthermore, the McDonald et al. reference has an effective filing date after conception of the subject matter of the present application. Such conception, and applicant's corresponding diligent work toward reduction to practice, are attested to in the Declaration Under § 1.131, which is attached hereto. The Declaration Under § 1.131 demonstrates such conception and diligent reduction to practice by Invention Disclosure 10010714, a copy of which is attached to the Declaration as Exhibit 1. Therefore, the McDonald et al. reference is not prior art to the present application. Accordingly, applicants respectively request withdrawal of the rejection.

Conclusion

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks and the attached Declaration Under § 1.131. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

KOLISCH HARTWELL, P.C.



Walter W. Karnstein

Registration No. 35,565

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679

Attorney for Applicants

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 13, 2005.

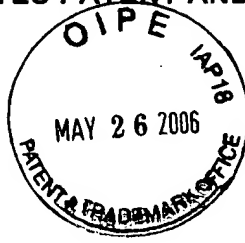


Heidi Dutro

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BARBARA A. BLAIR
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HP Docket No. 10010714-1

Serial No. : 09/931,825

Examiner C. Thai

Filed : August 16, 2001

Group Art Unit 3629

For : PRODUCT DEVELOPMENT PROCESS

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DECLARATION UNDER § 1.131

We declare as follows:

1. We are inventors who, on August 16, 2001, filed the above-identified application. At the time of such invention, we were employees of Hewlett-Packard Company.

2. Prior to March 20, 2001, the effective date of U.S. Patent No. 6,892,376 to McDonald et al., we conceived of our invention, and diligently worked toward reducing our invention to practice.

3. Invention Disclosure 10010714 (which has a descriptive title "Invention enabler: design center process") is attached hereto as Exhibit 1. Invention Disclosure 10010714 was prepared prior to the March 20, 2001 effective date of U.S. Patent No. 6,892,376 to McDonald et al.

4. At the time of preparing Exhibit 1, which preceded March 20, 2001, we had conceived of a method for developing marketable products to fit the needs of multiple markets and presenting marketable products to a new or existing customer

base comprising: identifying a specific technological concept to develop into a product; selecting an initial application for the specific technological concept by identifying an entry vehicle application; proving the technological concept for the entry vehicle application; identifying additional applications for the proven technological concept; and developing products based on the entry vehicle and additional applications.

5. We also had conceived of a system for enabling a business to develop products comprising: a research group adapted to conduct research to develop technologies and improve developed technologies; a product development group adapted to develop a product based on the use of, or integration of new or improved technologies; a technological goal to be achieved by the research group; an entry vehicle product architecture goal to be achieved by the product development group; and a commercialization group adapted to tailor and customize the entry vehicle, market the entry vehicle product and its derivatives; a joint decision process involving the research, product development and commercialization groups adapted to narrow the scope of research engaged in by the research group and product development group to achieve the technological goal and entry vehicle product development goal, the decision process including identifying an entry vehicle application for the technological goal.

6. We also had conceived, in a business having a research group charged with conducting research to develop technologies, a product development group charged with developing entry vehicle products from those technologies, and a commercialization group charged with tailoring and customizing the entry vehicle and marketing the entry vehicle product and its derivatives, a method for streamlining a

product development process comprising tasking the research group to develop technology for use in an entry vehicle application, the entry vehicle application being selected by the product development group together with the research group and commercialization group.

7. Following our conception prior to March 20, 2001, we diligently worked toward reducing our inventions to practice, and on August 16, 2001, filed the present patent application.

8. All acts set forth herein and/or relied upon for the purpose of establishing invention prior to March 20, 2001 were carried out in the United States.

9. We declare that all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code. We understand that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 4/23/06

Barbara A. Blair
Barbara A. Blair

Date: _____

Timothy L. Carter



product development process comprising tasking the research group to develop technology for use in an entry vehicle application, the entry vehicle application being selected by the product development group together with the research group and commercialization group.

7. Following our conception prior to March 20, 2001, we diligently worked toward reducing our inventions to practice, and on August 18, 2001, filed the present patent application.

8. All acts set forth herein and/or relied upon for the purpose of establishing invention prior to March 20, 2001 were carried out in the United States.

9. We declare that all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment or both under § 1001 of Title 18 of the United States Code. We understand that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: _____

Barbara A. Blair

Date: May 22, 2006


Timothy L. Carter

Write in dark ink on front side only please?



INVENTION DISCLOSURE

PDNO

DATE RCVD

PAGE ONE OF

ATTORNEY

Instructions: The information contained in this document is **COMPANY CONFIDENTIAL** and may not be disclosed to others without prior authorization. Submit this disclosure to the HP Legal Department as soon as possible. No patent protection is possible until a patent application is authorized, prepared, and submitted to the Government.

Descriptive Title of Invention:

Invention enabler: design center processor

Name of Project:

Product Name or Number:



If any of the above situations will occur within 3 months, call your IP attorney or the Legal Department now at 1-898-4919 or 970-898-4919.

Was this invention made under a government contract? If so, the agency and contract number: *No*

Description of Invention: Please preserve all records of the invention and attach additional pages for the following. Each additional page should be signed and dated by the inventor(s) and witness(es).

- A. Description of the construction and operation of the invention (include appropriate schematic, block, & timing diagrams; drawings; samples; graphs; flowcharts; computer listings; test results; etc.)
- B. Advantages of the invention over what has been done before.
- C. Problems solved by the invention.
- D. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).

Signature of Inventor(s): Pursuant to my (our) employment agreement, I (we) submit this disclosure on this date: []

Barbara A. Blair

Employee No.

Name

Signature

Barbara A. Blair

Employee No.

Name

Signature

Timothy Carter

Employee No.

Name

Signature

Telnet

Mailstop

Entity & Lab Name

Employee No.

Name

Signature

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(If more than four inventors, include additional information on another copy of this form and attach to this document)

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INVENTION DISCLOSURE

COMPANY CONFIDENTIAL

PAGE ____ OF ____

Signature of Witness(es): (Please try to obtain the signature of the person(s) to whom invention was first disclosed.)

The invention was first explained to, and understood by, me (us) on this date: [

Full Name

Signature

Date of Signature

Inventor & Home Address Information: (If more than four inventors, include addl. information on copy of this form & attach to this document)

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Process for shortening time from technology invention, concept, to technology productization. by Defining an end product that focuses scientists experiments and then managing to those defined specifications. The characteristics of the end product, design center, must be narrow enough to limit design parameters and broad enough to allow the technology to have use in a range of products.

B. Advantages of the invention over what has been done before.

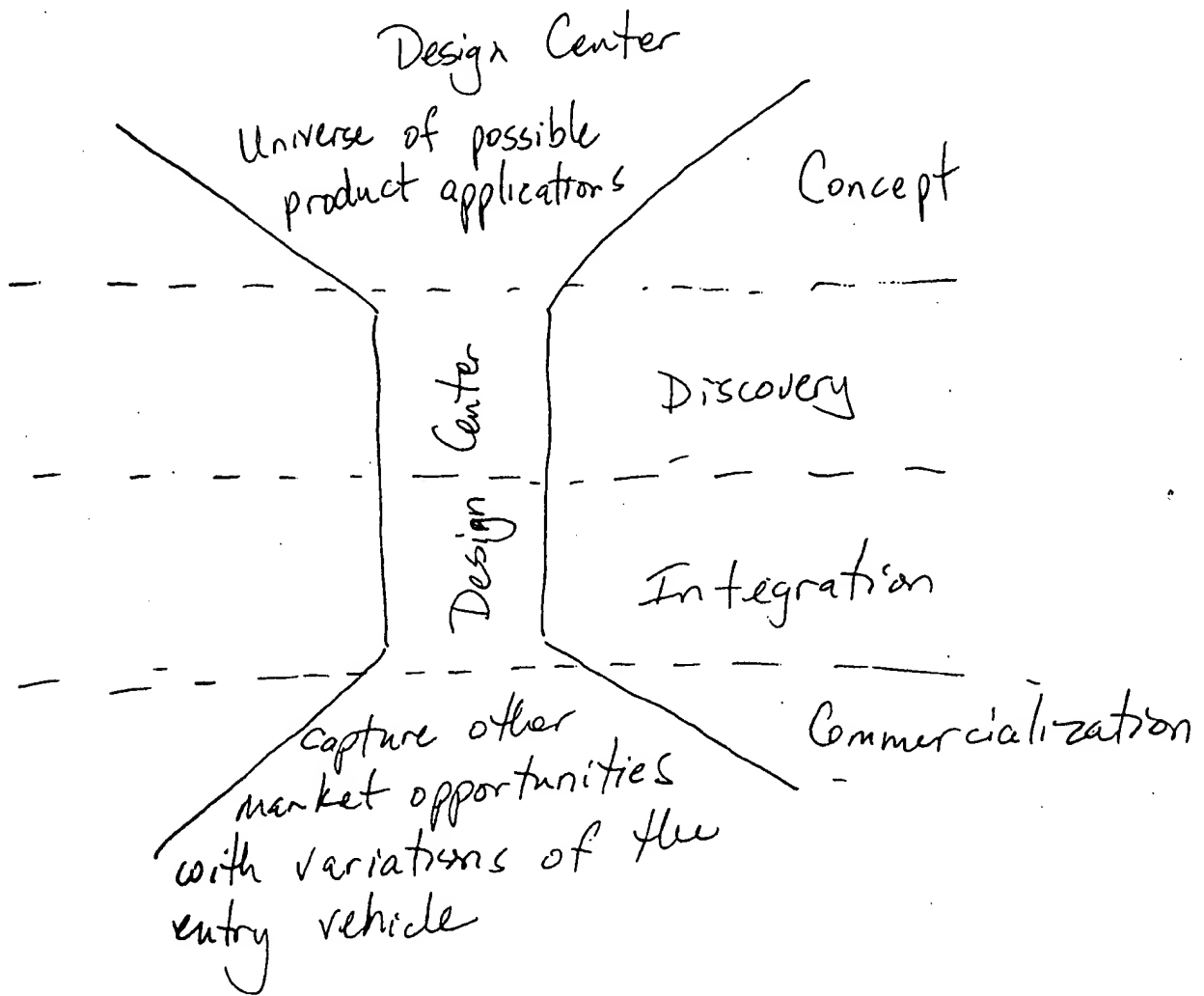
By nature, scientists want to explore all of the possibilities. By focusing scientists with parameters, you reduce the time spent exploring all possibilities to time necessary to meet only the defined end product need.

C. Problems solved by the invention.

Good inventions, concepts, getting stuck in scientific communities.



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Design Center Process

Entry Vehicle Strategy

1. Pull together enabling Technologies into architectures that could address viable commercial markets
2. Narrow the architecture down to one specific design center that...
 - Enables a viable business plan
 - Is extendable into other markets
3. Focus the Product Development Team on the Entry Vehicle architecture
4. Engage the Commercialization Team to address other markets with the Entry Vehicle architecture and derivatives during the integration phase